

IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

DISTRICT OF COLUMBIA,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

CIVIL ACTION NO.: 2018 CA 008715 B

Judge Fern Flanagan Saddler

Next Court Date: None Scheduled

Event: N/A

**NOTICE OF SUPPLEMENTAL AUTHORITY IN FURTHER SUPPORT OF
FACEBOOK, INC.'S OPPOSED MOTION TO DISMISS
OR, IN THE ALTERNATIVE, STAY PROCEEDINGS**

Facebook, Inc. (“Facebook”) respectfully submits this notice of supplemental authority in further support of its argument that the Court lacks personal jurisdiction over Facebook with respect to the District’s claims. On March 27, 2019, the United States District Court for the Southern District of New York became the latest court to dismiss claims against Facebook for lack of personal jurisdiction. *Corley v. Vance, et al.*, No. 15 Civ. 1800 (KPF) (S.D.N.Y. Mar. 27, 2019) (slip op. attached as Exhibit A). As the Court explained, although “Facebook is registered to do business in New York and has two offices in New York City,” these facts are insufficient to establish general jurisdiction because they “must be viewed relative to [Facebook’s] overall activity ‘nationwide and worldwide,’” which makes these contacts “dramatically” less significant. Slip op. at 18 (quoting *Daimler AG v. Bauman*, 571 U.S. 117, 143 (2014)). In addition, “the mere fact of a defendant’s being registered to do business is insufficient to confer general jurisdiction in a state that is neither its state of incorporation nor its principal place of business.” *Id.* at 19 (internal quotation marks and alterations omitted). With respect to specific jurisdiction, the court held that none of the Plaintiff’s claims “arise out of in-state business activity.” *Id.* at 20. To the contrary, Plaintiff’s claims, which (like the District’s claims in this case) relate to Facebook’s alleged “disclosure of his personal information,” “almost certainly ... arise out of [Facebook’s] activity in California.” *Id.*

Dated: March 28, 2019

Respectfully submitted,

/s/ Joshua S. Lipshutz
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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of March, 2019, I caused a copy of the foregoing to be served upon all counsel of record via CaseFileXpress.

Dated: March 28, 2019

Respectfully submitted,

/s/ Joshua S. Lipshutz

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